

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: \_\_\_\_\_ Date: December 15, 2009

DIETER KLAUBERT et al. Docket No.: LJL 139

Patent No. : 6,852,504

Issued : February 8, 2005

Serial No. : 09/924,797

Filed : August 8, 2001

For : METHOD FOR MEASURING CELLULAR TRANSMEMBRANE  
POTENTIAL CHANGES

RECEIVED

DEC 24 2009

## OFFICE OF PETITIONS

Director of the U.S. Patent and Trademark Office

Attn: Maintenance Fees

2051 Jamieson Avenue, Suite 300

Alexandria, VA 22314

12/18/2009 MBANGURA 00000062 111540 6852504

01 FC:1559 515.00 DA

Sir:

**COMMUNICATION REGARDING CHANGE IN FEE STATUS  
AND DEFICIENCY PAYMENT**

MDS Analytical Technologies (US) Inc., assignee of the entire right, title, and interest in the above-identified patent, would like to change the fee status for the patent from small entity to large entity status. Please note this change in fee status in the appropriate Patent Office records.

Issue Fee – paid at large entity rate

The Issue Fee was paid via U.S. mail on December 22, 2004, at the large entity rate. A copy of the issue fee transmittal and payment check showing the large entity amount are attached. A communication formally requesting a change in fee status was submitted via facsimile the same day, December 22, 2004. A copy

of this communication is attached. However, it appears that the official records never were updated to show this change.

First Maintenance Fee – paid at small entity rate; deficiency enclosed

The First Maintenance Fee payment was inadvertently paid at the small entity rate on August 8, 2008. The third party paying the fee relied on the U.S. Patent and Trademark Office's records, which had not been updated to show the change in fee status to large entity. Consequently, applicant is submitting herewith an electronic payment in the amount of \$515.00 to pay the difference between the current large entity fee amount (\$980.00) and the previous small entity fee payment of the underpaid fee. An itemization of the deficiency payment follows, pursuant to 37 CFR § 1.28(c)(2).

Type of Fee	Amount Paid as Small Entity	Date Payment Was Made	Deficiency Amount
First Maintenance Fee	\$465.00	August 8, 2008	\$515.00
		<b>Total Deficiency:</b>	<b>\$ 515.00</b>

Please charge the total deficiency amount, above, and any additional fees or credit any overpayment, to Deposit Account No. 11-1540.

It is respectfully requested that the errors in claiming small entity status be excused. If you have any questions or comments, please contact the undersigned attorney of record.

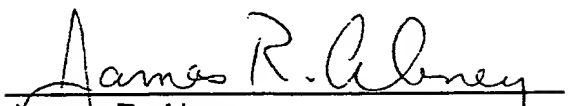
**CERTIFICATE OF  
FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to: Attention Maintenance Fees, Office of Finance, Director of the U.S. Patent and Trademark Office, at facsimile number (571) 273-6500 on December 15, 2009.

  
Margaret R. Burton

Respectfully submitted,

KOLISCH HARTWELL, P.C.

  
James R. Abney  
Registration No. 42,253  
Customer No. 23581  
Attorney for Assignee  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

DIETER KLAUBERT, ZHENJUN DIWU,  
GUOLIANG YI, and MARTIN KIRK

Date: December 22, 2004

Serial No. : 09/924,797

Examiner Ralph J. Gitomer

Filed : August 8, 2001

Group Art Unit 1651 **RECEIVED**For : METHOD FOR MEASURING  
MEMBRANE POTENTIAL

DEC 24 2009

Attention: Dorethea Allen  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

OFFICE OF PETITIONS

**COPY**

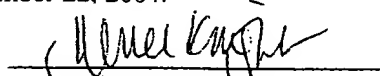
Sir:

COMMUNICATION REGARDING CHANGE IN FEE STATUS

Molecular Devices Corporation, assignee of the entire right, title, and interest in the above-identified patent application, is now a large entity. Please note this change in fee status in the appropriate Patent Office records. If you have any questions or comments, please contact the undersigned attorney of record.

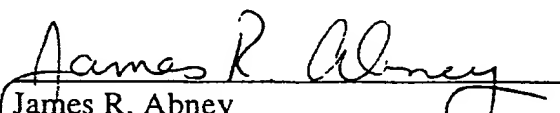
CERTIFICATE OF FACSIMILE  
TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to: Attention: Dorethea Allen, Commissioner for Patents, at facsimile number (703) 308-6778 on December 22, 2004.

  
Renee Knight

Respectfully submitted,

KOLISCH HARTWELL, P.C.

  
James R. Abney  
Registration No. 42,253  
Customer No. 23581  
Attorney for Assignee  
520 S.W. Yamhill Street, Suite 200  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679

DEC 24 2009

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000

or **Fax**

OFFICE OF PETITIONS  
**COPY**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

10/08/2004

John J. McDonnell  
McDonnell Bochen Hulbert & Berghoff  
32nd Floor  
300 S. Wacker Drive  
Chicago, IL 60606

James R. Abney  
Kolisch Hartwell PC  
520 SW Yamhill Street  
Suite 200  
Portland, OR 97204

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Renee Knight

(Depositor's name)

*Renee Knight*

(Signature)

December 22, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,797	08/08/2001	Dieter Klaubert	MBHB01-1071	2808

TITLE OF INVENTION: METHOD FOR MEASURING CELLULAR TRANSMEMBRANE POTENTIAL CHANGES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	<input checked="" type="checkbox"/> NO	<del>\$\$\$</del> \$1400	\$300	<del>\$\$\$</del> \$1700	01/10/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
GITOMER, RALPH J	1651	435-029000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Kolisch Hartwell, P.C.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Molecular Devices Corporation

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Sunnyvale, California

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 11-1540 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☒ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

*James R. Abney*  
James R. Abney, Esq.

Date December 22, 2004

Typed or printed name

Registration No. 42,253

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

From:

12/15/2009 18:14

#646 P.006/006

KOLISCH HARTWELL, P.C.

59662

U.S. Patent and Trademark Office

12/22/2004

Client Costs Advanced:530 · Client Costs Adv.

Issue fee

1,400.00

Client Costs Advanced:530 · Client Costs Adv.

Publication fee

300.00

Cash in Bank New Wells F LJL 139 - Molecular Devices

222

1,700.00